App.F.IX-4

1925-6
Geol

File No. 43-25

Previous References

Serial Nos. 1-6

Later references.
Geol 43-25 (7-9)
" 82-27 (1-6)

preserve

(13)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Six.

Part B for Geol 25

SUBJECT

Mining rules and Standard forms of prospecting license and mining lease in force in British India

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Filed

Noulbearing

G. R. S. 11] 1925.

GENERAL AND REVENUE SECRETARIAT.

(Geol)

NOTES.

File No. 43/25.

FILE HEADING.

Running Rules and the standard forms of Prospecting licence & Running lease in force in British India.

From

The Secy to the Hon'ble the Resident

No. 7706/378, 4-96 Dated 25-9-25 Received

Diary No. 1767 | Enclos. 2 Spare Copies. | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards a copy of the Running Rules in force in British India

NOTES AND ORDERS.

J.

1) It is usual to send a copy of such publication to the Dir of Geol. for reference in his office & to have one or two extra for send office in the Secty

2) Recent ~~above~~ amendments c. Rules, &

NOTES—First Sheet.

Serial No

I

to 7 leg. 1925 have not been incorporated in the publications used with letter under disposal

2) Draft requesting the Residency to send 3 more copies with amendments subsequent to the issue of the publication is submitted for approval or otherwise

20/12/25 — VS 4/12 Dft for appl

R Sec WB

5) Issue 19/12 WB 22/12

2 To

The Secretary, the Hon'ble Resident

Pol 329 of 29/10.

In acknowledging copy of above Request that three more copies, with amendments issued since the date of publication, may be kindly obtained & forwarded for use

3 from the 7 leg. to the Residency

No 9700/378-1894 of 28/11/25

forwarded 3 copies of mining Rules

6) Submitted with draft

20 1/12/25 VS 7) Appd WB 8/12

8) Issue VS 3.12.25

NBU BRANCH

NOTE—Contn. Sheet

2794

[App. F. III—2

General and Revenue Secretariat

Ecol File No. 43 of 192 .

Serial No

4 To

The Secretary to the Hon'ble Resident.

Pol 437 of 4/12

Acknowledges the receipt of copies and, with 2 encl (3)

Refers Paras. of Rules

draft forwarding a copy of Mining Rules to the dir. of Ecl. is put up

VB 9.12.25

9/12

Issue

VB

9.12.25

5 To

The Director of Ecol

Nos. C. 3983 of 14/12

25 for reference his office a copy of the Mining Rules received with 2 encl (4)

6 From

GEN. & REV. SEC.

the dir of Ecol

no C/539-1 of 19.12.25

Acknowledges the receipt of a copy Mining Rules in force in Br. India with Standard forms of proceedings licenses & mining leases forwarded with 8 encl

Note—Contn. Sheet

52-58 (4

[App. F. III—2

General and Revenue Secretariat | Genl File No. 43 of 1925.

Serial No

~~Please~~ is

the copies forwarded to Genl. may be filed

~~Forwarded~~

22/12/25

26/12

INDU

Note—Contn. Sheet

Ecol 43-25-

OFFICE OF THE RESIDENT IN MYSORE

No. 7906 Bangalore 25th September 1925.
378 A-1894.

GEN. & REV. & REC. BR. 2-OCT 1925

GOVT. OF INDIA DEPT. OF INDUSTRIES & COMMERCE REGISTRATION.

Pol. 360

From: A copy of the marginally noted letter, with enclosure, is forwarded with compliments, to the Chief Secretary to the Government of His Highness the Maharaja of Mysore for information, in continuation of endorsement from this office No.5408, dated the 29th June 1925

No.M.829-P, dated the 24th July 1925, from the Government of India, Department of Industries & Labour, to all Local Governments & Administrations.

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2. A copy of letter No.667 dated the 16th March 1918, from the Department of Commerce & Industry was forwarded with endorsement No.2917, dated the 23rd April 1918. A copy of Resolution No.M.75 dated the 30th August 1923, of the Government of India, Industries and Labour, was forwarded with letter from this office No.7695, dated the 25th September 1923.

Major.
SECRETARY TO THE RESIDENT

BJ

Letter No M-839 dated the 24th July 1925 from the Deputy Secretary to the Government of India, Department of Industries and Labour to all Local Governments and Administrations.

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Standard forms of Prospecting license and Mining lease.

I am directed to refer to the letter from the Department of Commerce and Industry No.667, dated the 16th March 1918, forwarding standard forms of prospecting license, mining lease and transfer agreements for use in connection with the grant of mineral concessions otherwise than for oil. At the time these forms were issued certain proposals had been received by the Government of India for the amendment of the Mining Rules relating to natural petroleum, and provisions with regard to that mineral were therefore not incorporated in the standard forms of prospecting license and mining lease. These amendments in the rules have since been sanctioned by the Secretary of State for India and published in Government of India Resolution No.M-75, dated 30th August 1923. Accordingly the Government of India have now amended the standard forms so as to include the special conditions applicable to concessions for natural petroleum. Opportunity has also been taken to revise the forms in accordance with the various amendments made in the Mining Rules up to date. In modifying the provision relating to royalty on iron ore in clause 2 of Part V of the standard form of mining lease, the Government of India have not considered it necessary to include the provision contained in the foot-note under the entry relating to iron ore in Schedule A of the Mining Rules. It will however be open to local Governments to include the provision in question in the standard form if they adopt the financial instead of the calendar year for the assessment of royalty on iron ore. Certain other changes have also been introduced in the forms, the most important of which are explained below

(a) It has been represented to the Government of India that the power reserved to Government in Clause 9(a) of Part II of the existing standard form of prospecting license and clause 16 of Part VII of the existing standard form of mining lease, to terminat

at

at any time an arrangement, compact or understanding entered into by a licensee or lessee with the previous sanction of the local Government, is likely to operate harshly on the parties concerned. The Government of India recognise that the power conferred by the clauses in question was too wide and they have decided that it should be exercised only on the occasion of a state of emergency of which the Government of India shall be the sole judge.

(b) Exception has been taken to the marginal heading "Arbitration Clause" of clause 13 of Part II of the standard form of mining lease on the ground that an arbitrator should in effect be an individual and not the local Government. The Government of India are of opinion that the clause does not really provide for arbitration and the heading 'Arbitration Clause has therefore been omitted. Clause 20(c) of Part VII and Clause 9 of Part IX of the form have also been amended to omit any reference to 'Arbitration' The relevant clauses in the standard form of prospecting license have also been amended similarly.

2. I am to enclose the standard forms and transfer agreements as now revised by the Government of India and to request that, if there is no objection, they may be used for the grant of concessions for all minerals including natural petroleum. It will be observed that certain clauses in the standard form of mining lease e.g., Clause 2 of Part II, Clause 3 of Part VI and Clause 11 of Part VII are not appropriate for use in leases for natural petroleum and they should therefore be suitably modified in the case of such leases.

3. Certain provisions in the forms which are not actually prescribed by the Mining Rules and can therefore be modified at the discretion of local Governments have been printed in italics. They seem, however, to the Government of India to be necessary and proper conditions, and except as suggested in paragraph 2 above they should not be altered or omitted without sufficient cause.

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"C O P Y"

for REGISTRAR RESIDENT'S OFFICE

App. [illegible] G1.] B650

SUBJECT

Diary No. of letter replied to

General and Revenue Secretariat
( )
the 192

Date of issue 27/10/25

Signed by W R M B. S

List of enclosures

Copied by

Examined by

Section Cal

File No. 43-25

Serial No. 2

No. Pol 329

To The Secy to the Hon'ble the Resdt

Sir

I am directed to acknowledge with thanks the receipt of your Endorsement no. 7906/378 A-1894 of 25 & 26.7.25 forwarding a copy of letter no. M. 839 of 26.7.25 & its enclosure from the Govt of India, Dept of I & C and to request that 3 more copies of Mining Rules and the Standard Forms of Prospecting license and Mining Lease with Amendments issued since that

if there be any

3 more copies

over

date of the publication and may
not be determined at the moment
at which are prepared for insertion in
the documents

22/10

19/10

Rec'd

6

22216

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. 2794 Enclos. 3 *Dated Bangalore,* 28th November 1925

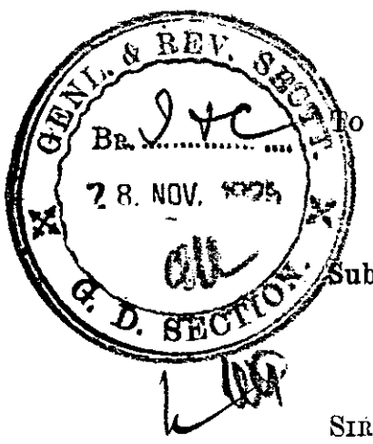
378/1894

2794

FROM

Major K A. G. Evans Gordon,

SECRETARY TO THE RESIDENT IN MYSORE.



To

Pol. 616

Rev 43-25-3

The Secretary to the Government of Mysore,
Revenue Department.

Subject :—

Copies of Mining Rules and the Standard Forms of Prospecting License and Mining Lease.

SIR,

With reference to your letter No. Pol.329/ Genl.43-25-2, dated the 26/27th October 1925, I am directed to forward three more copies of Mining Rules and the Standard Forms of Prospecting License and Mining Lease.

The favour of an acknowledgement is requested.

I have the honour to be,

Sir,

Your most obedient servant

Evans-Gordon

MAJOR
SECRETARY TO THE RESIDENT

CJK.

APP. F. VI. Gl.]

SUBJECT.....

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Section Ecl

File No. 43-25

Seria No. 4

No. Pol. 437

Diary No. of letter replied to... 2791

To The Secy. to the Hon'ble the Resident in Mysore

General and Revenue Secretariat

( )

the *192*

Date of issue 4/12/25

Signed by Mr B.S.

Sir

I am directed to acknowledge with thanks the receipt of 3 copies of Mining Rules & Standard Forms of Prospecting Mining Licenses & Leases, in force in Br India forwarded with Govt letter no. 9700/378-18 of 28.11.25

I have the

WB 3/12

List of enclosures.....

Copied by.....

Examined by.....

Secy. to Govt over Rev. Dept

WD 0562—GPB—31,000—17-8-25

App.F.VI-G1.] B650

SUBJECT.....

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Section Govt

File No. 43-25

Serial No. 5

Diary No. of letter replied to .....

No. IC 3993/one book

To The Dep of Govt

General and Revenue Secretariat

( )

the *192*

Sir

Date of issue 14/12/25

I am directed to forward herewith for reference in your office a copy of mining rules and the standard form of Prospecting licence & mining leases in force in British India

Signed by Mr V. V. Char

I have

List of enclosures.....

MP 8/12

For Secy. to Govt

Rev Dept

Copied by .....

2nd

Examined by.....

16/12

over

25143

M. G. D. 12]

Wd 01194—GPB—375—12-12-25

No. C/535-1 *Dated, Bangalore,* 15-12-25

From

A. M. SEN, Esq., M.Sc., F.G.S., &c.
Offg. Director, Mysore Geological Department.

43258

Encl 43-25-6

To

B. Srinivasa Iyengar, Esq., B.A., B.L.
Revenue Secretary to the Government of His Highness the Maharaja of Mysore.

794

Sir,

I have the honor to acknowledge, with thanks, the receipt of the copy of Mining Rules in force in British India with standard forms of Prospecting license and Mining leases, forwarded with your letter No.I.C. 3993/Geol. 43-25-5, dated the 14th instant.

I have the honor to be,
Sir,
Your Most Obedient Servant,

A. M. Sen

Offg. Director,
Mysore Geological Department.

M.R/18.